

21.09.2020
SL No. 41
Sdas
allowed

CRM 6939 of 2020
with
CRAN 1 of 2020
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Habra Police Station Case No. 197 of 2020 dated 01.05.2020 under Sections 376/417 of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re : Surajuddin @ Suraj Mondal petitioner

Mr. Ayan Basu
Mr. Sumit Routh

.....for the petitioner

Mr. P. K. Datta, learned A.P.P.
Mr. Santanu Deb Roy

....for the State

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Accordingly, application being CRAN 1 of 2020 is disposed of.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission that there was a love affair between two young persons, we are of the opinion that further detention of the petitioner is not necessary and he may be granted bail.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under POCSO Act, North 24 Parganas

at Barasat, subject to the condition that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Kausik Chanda, J.)

(Joymalya Bagchi, J.)